

**Exhibit 2**  
**Filed Under Seal**

1 UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
3 SONOS, INC.,  
4 Plaintiff,  
5 vs. Case No. 3:21-CV-07559-WHA  
6 GOOGLE LLC,  
7 Defendant.

---

8 -AND-

9  
10 GOOGLE LLC,  
11 Plaintiff,  
12 vs. Case No. 3:20-CV-06754-WHA  
13 SONOS, INC.,  
14 Defendant.

---

15 \*\*HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY\*\*

16 \*\*SOURCE CODE CONFIDENTIAL\*\*

17 ZOOM DEPOSITION OF SONOS 30(b)(6) & INDIVIDUALLY  
18 NICK MILLINGTON

19 (Reported Remotely via Video & Web Videoconference)

20 Santa Barbara, California (Deponent's location)

21 Wednesday, June 29, 2022

22 STENOGRAPHICALLY REPORTED BY:

23 REBECCA L. ROMANO, RPR, CSR, CCR

24 California CSR No. 12546

25 Nevada CCR No. 827

Oregon CSR No. 20-0466

Washington CCR No. 3491

JOB NO. 5304920

PAGES 1 - 258

<p>1 that term because it's a silly joke internal term. 03:50:20</p> <p>2 But from the user's perspective, what</p> <p>3 they experience is robust persistent playback</p> <p>4 where, you know, the phone isn't, you know, a</p> <p>5 critical participant in the ongoing playback of 03:50:38</p> <p>6 tracks.</p> <p>7 And in many ways, you know, that --</p> <p>8 that -- that overall experience is one of the</p> <p>9 reasons what -- what -- what a Sonos experience is</p> <p>10 all about, right? 03:50:55</p> <p>11 Q. (By Mr. Kaplan) Are you familiar with</p> <p>12 SMAPI, S-M-A-P-I?</p> <p>13 A. I -- I am at a high level. It's</p> <p>14 something that is evolved, you know, no doubt</p> <p>15 unrecognizably, since the time that I 03:51:13</p> <p>16 was intimately involved with it. But, yes, I am</p> <p>17 familiar with it.</p> <p>18 Q. Was SMAPI the API that was used to</p> <p>19 deliver the full set of queued tracks to the Sonos</p> <p>20 player? 03:51:31</p> <p>21 MS. BRODY: Objection. Outside the</p> <p>22 scope. Objection to form.</p> <p>23 THE DEPONENT: SMAPI stands for -- stands</p> <p>24 for Sonos Music API. And SMAPI was a -- or is a --</p> <p>25 I believe a protocol that Sonos evangelizes to 03:51:53</p> <p style="text-align: right;">Page 178</p>	<p>1 MS. BRODY: Objection to form. And 03:53:42</p> <p>2 outside the scope.</p> <p>3 THE DEPONENT: The -- the form of your</p> <p>4 question sort of implies that the queue exists</p> <p>5 somewhere else and then is -- is downloaded. And 03:53:52</p> <p>6 that's -- that's not how I would -- how I would --</p> <p>7 how I would characterize the -- the -- the</p> <p>8 operation.</p> <p>9 Like I was saying before, the --</p> <p>10 you know, the -- the -- from the user's 03:54:10</p> <p>11 perspective, the queue is a -- is a property of</p> <p>12 the -- kind of the, you know, the -- the Sonos</p> <p>13 group coordinator and its -- and its group members.</p> <p>14 And the user is adding, removing, reordering tracks</p> <p>15 in that -- in that queue. 03:54:34</p> <p>16 And so that -- that -- that's how --</p> <p>17 that -- that -- that experience is still available</p> <p>18 to this day in the Sonos products.</p> <p>19 Q. (By Mr. Kaplan) When we were looking at</p> <p>20 the Sonos iPad controller app, a user on that app 03:54:49</p> <p>21 was seeing a queue of music that he or she wanted</p> <p>22 to play, and that would be replicated at the</p> <p>23 player, right?</p> <p>24 A. It's -- it's actually the -- the</p> <p>25 opposite, that the Sonos controller is viewing the 03:55:11</p> <p style="text-align: right;">Page 180</p>
<p>1 music services companies. 03:52:03</p> <p>2 And if music service companies implement</p> <p>3 SMAPI then, fundamentally, inside the Sonos app,</p> <p>4 they can appear as a music service, like we were</p> <p>5 seeing in the iPad app. And, you know, you can 03:52:19</p> <p>6 browse the content and search the content on the</p> <p>7 service using the Sonos app.</p> <p>8 And then you can also -- if you implement</p> <p>9 SMAPI, then Sonos players can access and play</p> <p>10 your -- your -- your content. So -- so that's -- 03:52:37</p> <p>11 that's what -- that's what SMAPI -- SMAPI is.</p> <p>12 I -- I wouldn't say that there's like a</p> <p>13 one-to-one mapping between SMAPI and the beer test</p> <p>14 or even between SMAPI and showing up in the Sonos</p> <p>15 app. There's other ways of implementing that. 03:52:54</p> <p>16 Q. (By Mr. Kaplan) So for the</p> <p>17 implementation that you mentioned where the queue</p> <p>18 is downloaded and stored at the device -- and when</p> <p>19 I say "device," I mean player. Maybe I should just</p> <p>20 say player. 03:53:27</p> <p>21 I'll -- I'll ask again.</p> <p>22 In the implementation you mentioned where</p> <p>23 the queue from the mobile device is downloaded and</p> <p>24 stored at the player, is that implementation still</p> <p>25 used by Sonos? 03:53:38</p> <p style="text-align: right;">Page 179</p>	<p>1 contents of the -- of the queue on the player. 03:55:17</p> <p>2 Q. Is the Sonos controller app storing the</p> <p>3 information of the queue at the player either</p> <p>4 persistently or not persistently?</p> <p>5 MS. BRODY: Objection to form. 03:55:38</p> <p>6 THE DEPONENT: To -- to -- to paint its</p> <p>7 UI, the controller needs to have some view into the</p> <p>8 contents of that queue that's on the player. But</p> <p>9 it -- it doesn't necessarily have a complete copy.</p> <p>10 And even if -- like if you scroll away in the list, 03:56:03</p> <p>11 then, you know, it's ephemeral and gone.</p> <p>12 Q. (By Mr. Kaplan) So you wouldn't consider</p> <p>13 that the music queue, right?</p> <p>14 MS. BRODY: Objection to form. Outside</p> <p>15 the scope. 03:56:21</p> <p>16 THE DEPONENT: I mean, it's -- it's --</p> <p>17 you know, the -- the -- the questions are super</p> <p>18 context dependent, you know. The -- I mean -- I</p> <p>19 mean, it's a -- it's a -- it's a list of songs</p> <p>20 labeled queue on a screen. And so from the -- from 03:56:41</p> <p>21 the user's perspective, you know, it is a -- it is</p> <p>22 a queue for sure, you know -- you know.</p> <p>23 I mean, it's -- the -- the -- the</p> <p>24 question's -- the question's almost unanswerable.</p> <p>25 I mean, you know, there's -- there's some people 03:57:00</p> <p style="text-align: right;">Page 181</p>

1 MS. BRODY: Objection to form. And 04:34:00	1 bending my head, trying to figure out how to look 04:38:09
2 outside the scope.	2 at it in this app. Maybe I'll have to download it
3 THE DEPONENT: Let -- let me -- let me --	3 to my --
4 let me answer it this way.	4 Q. I -- I do have a rotate all pages button
5 If the -- if the phone and the Sonos 04:34:11	5 on my -- if you hover over sort of the bottom of 04:38:16
6 player are not on the same network and can only	6 the -- of the PDF page.
7 communicate through the cloud, then the -- the	7 A. I think I have the document open.
8 cloud is a helpful way to facilitate communication	8 MS. BRODY: Mr. Kaplan, I don't know if
9 between them.	9 this is intentional, but this document doesn't have
10 And that's basically what you're saying, 04:34:29	10 the Bates sticker on the front consistent with your 04:38:34
11 right?	11 other documents.
12 Q. (By Mr. Kaplan) With respect to the play	12 THE DEPONENT: It does --
13 to Sonos integration, Sonos worked to do that with	13 MR. KAPLAN: 1114 doesn't?
14 Google Play Music, did Sonos work to do a play to	14 THE DEPONENT: It's at the bottom right.
15 Sonos collaboration with any other companies? 04:35:34	15 MR. KAPLAN: I see a Bates stamp 04:38:46
16 MS. BRODY: Objection. Outside the	16 SONOS-SVG2-00026255.
17 scope.	17 MS. BRODY: The deposition exhibit
18 THE DEPONENT: Play to Sonos is an	18 sticker. Excuse me.
19 umbrella term that we used at Sonos to refer to the	19 MR. KAPLAN: And there's a deposition --
20 concept of, again, using a nonSonos app and having 04:35:51	20 deposition exhibit sticker 1114. 04:38:58
21 the sound come out of Sonos speakers.	21 MS. BRODY: Okay. It's not showing up on
22 So that -- that conceptually was -- was,	22 my -- my copy. It's -- it's not relevant. I just
23 you know, kind of -- kind of what we were -- what	23 wanted to let you know in the event that you wanted
24 we were going for, right. And so we -- we doggedly	24 it to be consistent.
25 pursued that concept with a -- a number of 04:36:23	25 Go ahead, please. 04:39:09
Page 194	Page 196
1 different companies, you know. 04:36:32	1 MR. KAPLAN: Got it. 04:39:11
2 For -- for example, you know, the --	2 Q. (By Mr. Kaplan) Mr. Millington, do you
3 the -- the -- the so-called Spotify connect feature	3 see the exhibit sticker on there?
4 that we support with Spotify is an incarnation of	4 A. Yeah. It's -- it's in the bottom right.
5 that concept. Similarly, the -- you know, the work 04:36:49	5 It's kind of a yellow rectangle -- right? -- that 04:39:23
6 that we did with -- with -- you know, we -- we've	6 says 1114. And then there's two like overlapping
7 done that concept with Pandora.	7 SONOS-SVG2-00026255.
8 So -- so in short, the answer is, yes,	8 Q. That was how it was produced to us.
9 that's a -- that's a concept that we had a lot of	9 Okay. Well, so this is an email chain.
10 conviction about from the very early period -- very 04:37:10	10 At the top of the chain is an email from 04:39:41
11 early point in the company's history, and we've	11 Joni Hoadley to Ted Coburn and a few other folks at
12 doggedly pursued it with a bunch of different	12 Sonos.
13 companies.	13 Do you see that?
14 (Exhibit 1114 was marked for	14 A. From Joni to Ted, and then some other
15 identification by the court reporter and is 04:37:25	15 folks -- yes, I do. 04:40:00
16 attached hereto.)	16 Q. And further down, you're on a few of
17 MR. KAPLAN: Could you open up	17 these emails between the folks at Sonos, and it's
18 Exhibit 114, please.	18 discussing a play to Sonos collaboration with
19 MS. BRODY: Mr. Kaplan, you said 114?	19 Spotify, right?
20 MR. KAPLAN: Oh, I meant 1114. I was 04:37:47	20 A. I'm going to have to read this -- so give 04:40:16
21 only off by 1,000.	21 me one minute here.
22 Q. (By Mr. Kaplan) Please let me know when	22 Q. Sure.
23 you have it up.	23 A. I have to pay for a seven-day trial to
24 A. Yeah, I have it. But it's sideways, so	24 rotate a page in Acrobat now?
25 I'm trying to figure out how to -- other than 04:38:05	25 Okay. I got it. 04:41:16
Page 195	Page 197